

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA,	:	CIVIL ACTION
	:	
Plaintiff,	:	02-CV-4990
	:	
v.	:	
	:	
NANCY J. MESSINA,	:	
	:	
Defendant.	:	

**ORDER**

AND NOW, this                   day of September, 2002, upon  
consideration of the Plaintiff's Motion for Default Judgment, it  
is hereby ORDERED that the Motion is DENIED WITHOUT PREJUDICE.<sup>1</sup>

BY THE COURT:

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J. CURTIS JOYNER, J.

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<sup>1</sup> Plaintiff seeks default judgment because Defendant has failed to file a timely answer to the Complaint. However, it appears to the Court that no return of service was filed. Without proper proof of service within the Federal Rules of Civil Procedure, this Court denies without prejudice Plaintiff's Motion for Default Judgment. See Fed. R. Civ. P. 4(1). Plaintiff may re-file the Motion for Default Judgment with proper proof of service.